

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

AARON ABADI, )  
                        )  
Plaintiff,         )  
                        )  
v.                     )      Case No. 1:23-cv-04033-LJL  
                        )  
AMERICAN AIRLINES GROUP, INC., et al., )  
                        )  
Defendants.         )

**NOTICE OF MOTION TO DISMISS**

**PLEASE TAKE NOTICE** that upon the accompanying Memorandum of Law dated December 5, 2023 and upon all prior pleadings and proceedings in this action, Defendants FRONTIER AIRLINES, INC and ALLEGIANT AIR, LLC hereby move this Court under Rules 12(b)(6) and 12(b)(1) of the Federal Rules of Civil Procedure for an Order dismissing all causes of action the Complaint asserted against the above-referenced Defendants on the grounds that they fail to state a claim for which relief may be granted, that Plaintiff lacks standing to state such claims, and that the claims stated are moot.

**PLEASE TAKE FURTHER NOTICE** that that opposing papers and affidavits, if any, are to be served in accordance with a briefing schedule set by the Court or to be agreed upon by the parties, or in the absence of such Order of the Court or agreement, in accordance Local Rule 6.1(b)) of the U.S. District Cout for the Southern District of New York.

/s/ Evan Kwarta  
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